REMARKS

Applicant has studied the Final Office Action dated December 5, 2007. Claims 1-3, 5-7, 9, 10, 12-16, 19, and 20 are pending. Claims 1, 5, 6, 9, 12-14, and 16 have been amended and claims 4, 8, 11, 17, and 18 have been canceled without prejudice. Claims 1 and 16 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed. It is believed that no new issue is raised by the present amendments.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Amendments to the Claims

Independent claims 1, 14, and 16 have been amended to correct a typographical error or to more clearly disclose the invention. It is respectfully submitted that the amendments have support in the application as originally filed. Claims 5, 6, 9, 12, and 13 have been amended to correct dependency in view of canceled claims and it is respectfully submitted that the amendments are not related to patentability.

§ 103 Rejections

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rumbaugh et al. ("Rumbaugh" U.S. Pat. No. 6,031,336). This rejection is respectfully traversed.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court recently stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill

in the art.' If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned." (citations omitted.)

With this paper, claims 4, 8, 11, 17, and 18 have been canceled without prejudice. It is, therefore, respectfully submitted that the rejection is moot with respect to claims 4, 8, 11, 17, and 18 and it is respectfully requested that the rejection be withdrawn.

It is respectfully noted that independent claims 1 and 16 have been amended with this paper to recite applying a pulse control signal in synchronization with a vertical synchronous signal to the anode electrode. Since this limitation was previously similarly recited in claims 4 and 17, which have been canceled without prejudice, the rejection of independent claims 1 and 16 will be addressed with respect to claims 4 and 17. It is further respectfully noted that amended independent claim 1 also recites a protection resistor connected between the anode electrode and a high voltage power source unit applying a high voltage to the anode electrode and the switch unit comprises a buffer and inverter signal unit for outputting a control signal during the blanking time period; a transistor for outputting a driving current upon receiving the control signal from the buffer and inverter signal unit; and a switch for connecting the anode electrode to the resistor by receiving the driving current. Furthermore, it is respectfully noted that amended independent claim 16 also recites the pulse control signal is repeatedly applied at certain period intervals according to a discharge state or a noise state of the FED.

With regard to the rejection of claims 4 and 17, it is respectfully noted that the Examiner asserts, at page 6 of the Office action, that Rumbaugh teaches the switch unit applies a pulse control signal in synchronization with a vertical synchronous signal to the anode electrode during a blanking time period, citing col. 7, lines 17-31, and FIGS. 2 and 5. It is noted that the cited portions of Rumbaugh disclose a control signal 135 is applied to voltage sources for activating electron currents and the emission at third field emission device 161 causes a current 195 to flow from anode 124 of display device 102 toward anode 165 of third field emission device 161, thereby reducing anode voltage 120. However, it is respectfully submitted that Rumbaugh fails to disclose or suggest applying a pulse control signal **in synchronization with a vertical synchronous**

signal to the anode electrode in order to discharge electric charge charged in a spacer of the FED, during a blanking time period, as recited in amended independent claims 1 and 16.

Further, with regard to the rejection of claim 8, it is respectfully noted that the Examiner asserts, at page 7 of the Office action, that Rumbaugh teaches the switch unit as recited in canceled claim 8, citing FIG. 4 and col. 6, lines 30-32 and 51-65. However, Applicant's review of the cited portions of Rumbaugh reveals that Rumbaugh merely discloses a switch 129, but fails to disclose or suggest that the switch unit includes a buffer and inverter signal unit for outputting a control signal during the blanking time period and a transistor for outputting a driving current upon receiving the control signal from the buffer and inverter signal unit, as recited in amended independent claim 1.

Furthermore, with regard to the rejection of claim 18, it is respectfully noted that the Examiner asserts, at page 7 of the Office action, that Rumbaugh teaches the pulse control signal is repeatedly applied at certain period intervals on the basis of the vertical synchronous signal. However, Applicant's review of the cited portions of Rumbaugh reveals that Rumbaugh fails to disclose or suggest the pulse control signal is repeatedly applied at certain period intervals according to a discharge state or a noise state of the FED, as recited in amended independent claim 16.

In view of the above arguments, it is respectfully submitted that the Examiner has failed to establish a prima facie case of obviousness because Rumbaugh fails to disclose or suggest, at least, the aforementioned features of independent claims 1 and 16, as amended. Therefore, it is respectfully asserted that independent claims 1 and 16 are allowable over the cited reference, as are claims 2, 3, 5-7, 9, 10, and 12-15 and 19-20, which depend from claims 1 and 16, respectively.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-3, 5-7, 9, 10, 12-16, 19, and 20 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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